



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GERHARD ERKER ET AL

FEB 20 2004

REISSUE APPLICATION OF US
US PATENT 6,002,032
ISSUED: December 14, 1999

ART UNIT: 1621

EXAMINER: Nazario Gonzalez, Porfirio

SERIAL NO. 09/851,643
FILED: May 8, 2001

FOR: TRANSITION METAL
COMPOUND

Hon. Commissioner of Patents & Trademarks
Washington, D.C. 20231

**SUPPLEMENTAL REISSUE PETITION, DECLARATION
AND POWER OF ATTORNEY**

I hereby declare that:

1. I am an original, first and joint inventor of the subject matter which is described and claimed in the above-identified United States Patent, and for which a reissue patent is here sought (original Patent No. 6,002,032 and now reissue Serial No. 09/851,643).

2. I have reviewed and understand the contents of the above-identified specification, including the claims and the specification as amended by any amendment presented in the above application.

3. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, ' 1.56(a).

4. I hereby request that I may be allowed to surrender and do hereby assent to surrender the above-identified Patent and request that the Patent may be reissued.

5. I verily believe that the above-identified original Patent may be wholly or partially defective. I have not claimed what I=am entitled to claim. In particular, I have not claimed

the intermediates of formula (IV) found at column 7. This reissue application is broadening reissue which was filed (May 8, 2001) within two years of the issued date (December 14, 1999) of US patent 6,002,032.

6. In addition, I was informed of the 35 USC §112 errors with respect to the original claims. With respect to formula (I) in claims 1 and 10, the issued patent has the definition of "B" as a hydrocarbon group having 1-40 carbon atoms, and "B" is also the abbreviation for the element, boron. During the prosecution of the original patent (6,002,032), formula (I) was amended in the claims so that "B" was now defined as "X" in order to avoid a possibility of confusing the definition of "B" as the element boron. Claim 10 of the issued patent had the correct formula (I). I was informed that formula (I) in claim 1 is being amended to formula (I) in claim 10. Claim 10 is being amended to change the "B" in formula (III) to "X" so that "B" will not be interpreted as boron.

7. Furthermore, I was informed that the Examiner restricted original claims 1-21 from newly added claims 22-53. I was informed that a terminal disclaimer was being filed to obviate this rejection. I was not aware that a restriction would be required for claims 22-53.

8. Every error in the patent which was corrected in the present reissue application, arose without any deceptive intention on the part of myself.

9. I hereby claim foreign priority benefits under Title 35, United States Code, ' 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s) for which Priority is Claimed

P 44 04 456.6
(Number)

Germany
(Country)

13/06/94
(Month/Day/Year)

10. I hereby claim the benefit under Title 35, United States Code, ' 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, ' 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, ' 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

08/478,900
Serial No.

June 7, 1995
Filing date

U.S. 6,002,032
Status

11. The names and addresses of the inventors is as follows:

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All of the inventor=s post office address is

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67056 Ludwigshafen
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Germany

12. I hereby appoint:

All practitioners at Customer Number 23416

all of **Connolly Bove Lodge & Hutz LLP**, 1007 North Orange Street, P.O. Box 2207, Wilmington, Delaware 19899, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Direct all further correspondence and communications to:

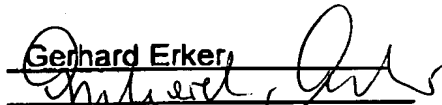
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11. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Gerhard Erker

Signature:

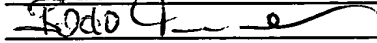


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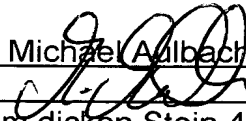
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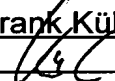
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